

JAN 18 2007

**FAX TRANSMISSION****DATE:****PTO IDENTIFIER:** Application Number 10/584,746  
Patent Number**Inventor:** Ursula Ziegler et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP  
Ashley I. Pezzner**PHONE:** (302) 658-9141**Attorney Dkt. #:** 05587-00409-US**PAGES (Including Cover Sheet):** 11**CONTENTS:** Transmittal Of Translation Of International Preliminary Report On Patentability (1 page)  
Translation Of International Preliminary Report On Patentability (8 pages)  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (302) 658-9141 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

**CONNOLLY BOVE LODGE & HUTZ LLP**  
1007 North Orange Street, P.O. Box 2207, Wilmington, Delaware 19899  
Telephone: (302) 658-9141 Facsimile: (302) 658-5614

516186\_1

JAN. 18. 2007 4:04PM

3022524210

RECEIVED  
CENTRAL FAX CENTER

NO. 6032 P. 2

Application No.: 10/584,746

JAN 18 2007

Docket No.: 05587-00409-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ursula Ziegler et al.

Application No.: 10/584,746

Confirmation No.: N/A

Filed: June 26, 2006

Art Unit: N/A

For: COMPOSITE BODIES, METHOD FOR THE  
PRODUCTION THEREOF AND USE  
THEREOF

Examiner: Not Yet Assigned

TRANSMITTAL OF TRANSLATION OF INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits herewith a translation of the International Preliminary Report On Patentability ("IPRP") issued in the corresponding international application. The international Examiner has deemed that claims 1-11 have novelty and industrial applicability. Each reference cited in the IPRP was cited by Applicant in an Information Disclosure Statement filed in this application.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 05587-00409-US.

Respectfully submitted,

By

Ashley I. Pezzner

Registration No.: 35,646

CONNOLLY BOVE LODGE & HUTZ LLP

1007 North Orange Street

P.O. Box 2207

Wilmington, Delaware 19899

(302) 658-9141

Attorney for Applicant

516185\_1

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

TICONA GMBH  
Intellectual Property EU  
R 300  
Professor-Staudinger-Strasse  
65451 Kelsterbach  
ALLEMAGNE

Date of mailing (day/month/year)  
28 December 2006 (28.12.2006)

Applicant's or agent's file reference  
2003/G019

International application No.  
PCT/EP2004/014562

**IMPORTANT NOTIFICATION**

International filing date (day/month/year)  
22 December 2004 (22.12.2004)

Applicant

TICONA GMBH et al

## 1. Transmittal of the translation to the applicant:



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

## 2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, GR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Agnes Wittmann-Regis

Facsimile No. +41 22 338 82 70

# TRANSLATION PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>2003/G019</b>	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. <b>PCT/EP2004/014562</b>	International filing date (day/month/year) <b>22.12.2004</b>	Priority date (day/month/year) <b>24.12.2003</b>	
International Patent Classification (IPC) or national classification and IPC <b>B29C45/16</b>			
Applicant <b>TICONA GMBH</b>			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

- a. ☒ (sent to the applicant and to the International Bureau) a total of 3 sheets, as follows:
- ☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
  - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))

containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- ☒ Box No. I Basis of the report
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (January 2004)

Box No. 1	Basis of the report	International application No. <b>PCT/EP2004/014562</b>
<p><b>INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY</b></p>		
<p>1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4)</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p>		
<p>2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description: _____ as originally filed/furnished</p> <p>pages <u>1-18</u></p> <p>pages* _____ received by this Authority on _____</p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims: _____ as originally filed/furnished</p> <p>nos. _____</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* <u>1-11</u> received by this Authority on <u>25.10.2005 with telefax</u></p> <p>nos.* _____ received by this Authority on _____</p> <p><input type="checkbox"/> the drawings: _____ as originally filed/furnished</p> <p>sheets _____</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.</p>		
<p>3. <input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (specify): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (specify): _____</p>		
<p>4. <input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (specify): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (specify): _____</p>		
<p>* If item 4 applies, some or all of those sheets may be marked "superseded."</p>		

Form PCT/PEPA/409 (Box No. 1) (January 2004)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY		International application No. PCT/EP2004/014562
Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
<b>1. Statement</b>		
Novelty (N)	Claims <u>1-11</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims _____	YES
	Claims <u>1-11</u>	NO
Industrial applicability (IA)	Claims <u>1-11</u>	YES
	Claims _____	NO
<b>2. Citations and explanations (Rule 70.7)</b>		
<p>1. This report makes reference to the following documents:</p> <p>D1: EP 1 118 458 A</p> <p>D2: EP 0 837 097 A</p> <p>D3: DE 100 17 486 A1</p> <p>D4: US 6 044 963 A</p> <p>D5: US 6 312 824 B1</p> <p>D6: DE 198 45 235 A1</p>		
<p>2. INDEPENDENT PROCESS CLAIM 9</p> <p>Document D6 is considered to constitute the prior art closest to the subject matter of claim 9 and discloses (the references in parentheses are to that document):</p> <p>a process for producing a composite body as per claim 1, in which at least one polyacetal moulding and at least one other moulding made of thermoplastic styrene-olefin elastomers which contains 15-70% by weight of a polyether ester elastomer (claim 1, page 3, lines 2-6, and page 4, lines 46-54) are moulded one onto the other by a</p>		

Form PCT/PEA/409 (Box No. V) (January 2004)

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/014562

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

multiple component injection-moulding process; the styrene-olefin elastomer is injection-moulded onto the polyacetal moulding, the polyacetal moulding is pre-heated to a temperature ranging from 80°C to just under its melting point before the thermoplastic polyester elastomer is injection-moulded thereon (page 5, lines 12-13), the thermoplastic styrene-olefin elastomer has a stock temperature ranging from 200 to 300°C when it is injection-moulded onto the polyacetal moulding (page 5, lines 14-17), and the tool is tempered to a temperature ranging from 20 to 140°C (page 5, line 15).

The subject matter of claim 9 differs from the prior art disclosed in D6 in that:

M1 a pure thermoplastic elastomer based on a polyether ester elastomer (without styrene-olefin elastomers) is used.

The present invention can therefore be considered to address the problem of achieving improved bonding between the polyacetal moulding and a polyether ester elastomer.

Proceeding from the problem described in D6, "improving the bonding of the styrene-olefin elastomer to the polyacetal moulding" (see page 2, lines 67-58), which, in addition, was solved by the use of the polyether ester elastomer, the injection-moulding of a pure polyether ester

Form PCT/ISA/409 (Box No. V) (January 2004)

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	International application No. PCT/EP2004/014562
	<p>elastomer onto a polyacetal moulding represents an obvious variant for solving the above-mentioned problem addressed by the application. In other words, claim 1 is characterised only by the omission of the feature "styrene-olefin elastomer", which cannot be considered inventive per se.</p> <p>The subject matter of independent claim 9 is therefore not considered inventive (PCT Article 33(3)).</p> <p>3. INDEPENDENT PRODUCT CLAIM 1</p> <p>Since the product as per independent claim 1 is produced by the process specified in claim 9, the same arguments as for claim 9 apply to claim 1.</p> <p>4. DEPENDENT CLAIMS 2-8, 10 and 11</p> <p>Claims 2-8, 10 and 11 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT novelty and inventive step requirements.</p> <p>5. INDUSTRIAL APPLICABILITY</p> <p>Claims 1-11 are unquestionably industrially applicable.</p>	



## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/014562

Box No. VII

Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

6. Contrary to PCT Rule 5.1(a)(ii), the description does not cite documents D1-D6 or indicate the relevant prior art disclosed therein.

Form PCT/PEA/409 (Box No. VII) (January 2004)

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/014562

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

7. Claims 1 and 2 do not meet the requirements of PCT Article 6 because it is not clear whether the bracketed expression, "determined by the tensile test according to ISO 127", is claimed or not.
8. The subjects of claims 1 (line 8), 2 and 4-10 use the feature "polyester elastomer" instead of the feature "polyether ester elastomer" (cf. claim 1, line 8) and are therefore unclear.

Form PCT/PEA/409 (Box VIII) (January 2004)

Application No. (if known): 10/584,748

Attorney Docket No.: 05587-00409-US

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on

1/18/07  
Date

Signature

Amy L. Hamm

Typed or printed name of person signing Certificate

Registration Number, if applicable

(302) 658-9141

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal Of Translation Of International Preliminary Report On  
Patentability  
Translation Of International Preliminary Report On Patentability

516186\_1